

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOHN TURNER,

Plaintiff,

vs.

HIGH DESERT STATE PRISON, *et al.*,

Defendants.

2:13-cv-01752-GMN-NJK

**ORDER**

This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state prisoner. Plaintiff has filed a motion to waive the appellate filing fee. (ECF No. 24).

Plaintiff's motion is denied for at least two reasons. First, plaintiff is seeking relief from an order of the Ninth Circuit Court of Appeals. (ECF No. 20). This district court does not have authority to override an order of the appellate court. Second, this Court already has certified to the Court of Appeals that plaintiff's appeal is not taken in good faith under 28 U.S.C. § 1915(a)(3). (ECF No. 8). Such a finding by the district court precludes a litigant from proceeding *in forma pauperis* on appeal.

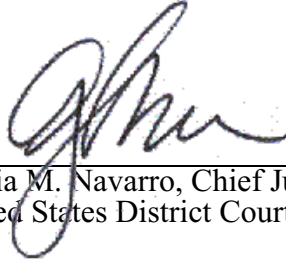
Finally, the Court notes that plaintiff has filed one motion with a caption that bears the case numbers from several different cases he has filed in this Court. To the extent that plaintiff seeks relief in the motions in more than one action, he may not do so. None of plaintiff's current actions are consolidated, and plaintiff therefore can seek relief in an action only by filing a motion captioned only for that action in that action. Plaintiff may not seek relief in multiple actions merely by including multiple docket numbers in a single filing.

**IT THEREFORE IS ORDERED** that plaintiff's motion to waive the appellate filing fee (ECF No. 24) is **DENIED**, subject to any orders of the Court of Appeals.

**IT IS FURTHER ORDERED** that the Clerk of Court **SHALL SEND** a notice of electronic

1 filing as to this order to the Court of Appeals in a manner consistent with the Clerk's current practice  
2 for same.

3 **DATED** this 25th day of August, 2014.

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8 Gloria M. Navarro, Chief Judge  
9 United States District Court  
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